

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 129-2017

A By-law to amend City of Vaughan By-law 1-88, as amended by By-law 112-95.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Deleting the text in Exception 9(128) in its entirety from Section 9.0 "EXCEPTIONS" and substituting therefor the following paragraph:

"9(128) A. Notwithstanding the provisions of:

 - a) Section 2.0 respecting the definition of a Parking Space;
 - b) Subsections 3.8 a) and g) respecting Parking Requirements;
 - c) Subsection 5.1.1 b) respecting the landscaping area in a C3 Local Commercial Zone;
 - d) Subsection 5.1.5 and Schedule A respecting minimum lot depth, minimum setback from an R3 Zone, and minimum yard requirements in a C3 Local Commercial Zone
 - e) Subsection 3.14 respecting Permitted Yard Encroachments and Restrictions;
 - f) Subsection 5.4 respecting Uses Permitted in a C3 Local Commercial Zone;

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-132":

 - ai) the minimum width of a parking space shall be 2.5 m;
 - bi) a minimum of eight (8) parking spaces shall be provided for the ground floor commercial use;
 - bii) a minimum of one (1) parking space shall be provided for the second floor residential use;
 - biii) the minimum access/driveway width shall be 6.0 m;
 - ci) strips of land shall be provided along Woodbridge Avenue and Kipling Avenue in the manner shown on the said Schedule E-132,

and shall be used for no other purpose than landscaping. This shall not prevent the provision of an access driveway across the said strip to Woodbridge Avenue

- di) The minimum lot depth for the “Subject Lands” on Schedule E-132 shall be 51.2 m;
 - dii) all buildings or structures on the lands shown as “Subject Lands” on Schedule E-132 (including encroachment of porch steps, provided an encroachment agreement is in full force and effect with the City of Vaughan), shall only be located within the area described as “Building Envelope” on the said Schedule E-132;
 - diii) the minimum setback to any building or structure from the R3 Residential Zone to the south, shall be measured from the area described as “Building Envelope” on Schedule E-132;
 - ei) the permitted yard encroachments, including the porch step encroachment on the north side of the building (provided an encroachment agreement is in full force and effect with the City of Vaughan), shall only be located within the area described as “Building Envelope” on Schedule E-132.
 - fi) Only one of the following uses shall be permitted on the ground floor having a maximum Gross Floor Area of 178 m²:
 - Business or Professional Office; Regulated Health Professional Office or Clinic (restricted to one (1) practitioner);
 - Personal Service Shop (restricted to permit only a Laundromat);
 - Print Shop
 - Retail Store
 - Retail Store, Convenience
 - Veterinary Clinic (restricted to one (1) practitioner), excluding the boarding of animals.
 - fii) Only a one-bedroom residential dwelling unit having a maximum Gross Floor Area of 70 m² shall be located on the second floor;
 - fiii) The basement/cellar shall be used only for the purposes of heating, ventilation or air conditioning equipment, and storage accessory to the use on the ground floor. No additional parking spaces shall be required for the basement/cellar area.”
- b) Deleting Schedule “E-132” and substituting therefor the Schedule “A-132” attached hereto as Schedule “1”.
2. Schedule “1” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 24th day of October 24, 2017.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk

Authorized by Item No. 2 of Report No. 31
of the Committee of the Whole
Adopted by Vaughan City Council on
September 26, 2017.

SUMMARY TO BY-LAW 129-2017

The lands subject to this By-law are located on the west side of Kipling Avenue, south of Woodbridge Avenue, in Lot 7, Concession 8, and known municipally as 7944 Kipling Avenue, in the City of Vaughan.

The purpose of this by-law is to amend the C3 Local Commercial Zone Exception 9(128) to permit additional commercial (on ground floor) and residential (on second floor) uses in the existing two-storey commercial building, establish the building envelope, and provide the following exceptions:

- the minimum width of a parking space shall be 2.5 m;
- the minimum access/driveway width shall be 6.0 m;
- a minimum of eight (8) parking spaces shall be provided for the ground floor commercial use;
- a minimum of one (1) parking space shall be provided for the second floor residential use;
- strips of land shall be provided along Woodbridge Avenue and Kipling Avenue in the manner shown on the said Schedule E-132, and shall be used for no other purpose than landscaping. This shall not prevent the provision of an access driveway across the said strip to Woodbridge Avenue;
- all buildings, structures, and encroachments on the lands shown as “Subject Lands” on Schedule E-132 shall be located within the area described as “Building Envelope” on the said Schedule E-132;
- the minimum setback to any building or structure from the R3 Residential Zone to the south, shall be measured from the area described as “Building Envelope” on Schedule E-132;
- Only the following uses shall be permitted:
 - One of the following uses located only on the ground floor having a maximum Gross Floor Area of 178 m²:
 - Business or Professional Office;
 - Regulated Health Professional (restricted to one (1) practitioner);
 - Personal Service Shop (restricted to permit only a Laundromat);
 - Print Shop
 - Retail Store
 - Retail Store, Convenience
 - Veterinary Clinic (restricted to one (1) practitioner), excluding the boarding of animals.
 - A one-bedroom residential dwelling unit located only on the second floor having a maximum Gross Floor Area of 70 m².
 - The basement/cellar shall be used only for the purposes of heating, ventilation or air conditioning equipment, and storage accessory to the use on the ground floor. No additional parking spaces shall be required for the basement/cellar area.